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Attorneys for Defendant  
GLEN EDWARD GARNER

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	Case No.: 2:18-cr-00317-JAD-VCF
	)	
v.	)	
	)	
GLEN EDWARD GARNER,	)	
	)	
Defendant.	)	
_____	)	

**STIPULATION AND ORDER TO CONTINUE DEADLINE FOR FILING OF**  
**PRETRIAL MOTIONS AND RELATED DATES**  
**(Eighteenth Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between Defendant GLEN EDWARD GARNER, by and through his attorney (Richard J. Pocker, Esq. of the law firm of Boies Schiller Flexner LLP), and the Plaintiff UNITED STATES OF AMERICA (hereinafter, “the Government”), by and through its attorney (Assistant United States Attorney Joshua Brister), that the deadline for the filing of pretrial motions be extended to June 30, 2021, and the due date for any responses to pretrial motions be extended to July 14, 2021.

This Stipulation is entered into for the following reasons:

1. The present case is currently set for trial on September 14, 2021. The date by which pretrial motions are to be filed is June 15, 2021.

1           2.       As set forth in great detail in earlier filings and stipulations, the discovery period  
2 in the present case has been different than in ordinary criminal cases, in that motions practice  
3 has resulted in a more voluminous production of evidence and documents by the Government.  
4 Moreover, the vast majority of the produced materials were disclosed after the commencement  
5 of the COVID-19 public health crisis, including hours of recorded conversations gathered  
6 through a Title III wiretap.

7           3.       Defendant GARNER has recently been present in counsel's office to review the  
8 extensive recordings provided by the Government, including the hours of recorded telephone  
9 calls including pertinent intercepted Title III recordings and other recordings associated with  
10 controlled buys in this case. Defendant GARNER has reviewed most of those materials and  
11 recordings over the past several weeks, but slightly more time to review and consider the  
12 materials is necessary. Consequently, Defendant GARNER requests this extension of the  
13 motions deadline to June 30, 2021.

14           4.       Of greater significance to the timing of anticipated filings and proceedings in the  
15 present case is the Government's recent filing on June 3, 2021. The Government's First  
16 Motion to Revoke Pretrial Release seeks to return Defendant GARNER to pretrial detention,  
17 citing allegations that he has committed violations of federal law and also run afoul of the terms  
18 of a Protective Order entered by the Court in August of 2019. Depending upon the relevant  
19 facts uncovered in its investigation and presentation by the Government, and the facts presented  
20 in defense of Defendant GARNER in further filings and proceedings, it may become necessary  
21 for Defendant GARNER's counsel to withdraw from representation in the present case. Until  
22 the facts attendant to the Government's Motion are analyzed, the necessity or desirability of  
23 withdrawal can not be definitely determined.

24           5.       Recent developments notwithstanding, Defendant GARNER, his counsel and his  
25 expert, Michael Levine, have been engaged in analyzing evidence and preparing to file  
26 necessary pretrial motions. Counsel for Defendant GARNER requests additional time to  
27 review and analyze the discovery materials provided by the Government, and to finalize  
28 arrangements to further meet and strategize with Defendant GARNER. Given the necessity of

1 preparing and assembling such motions in a situation where face to face meetings between  
2 client and counsel were, until recently inadvisable given the COVID-19 pandemic, and when  
3 the continuation of Defendant GARNER's pretrial release is an issue before the Court, a short  
4 additional extension of deadlines related to pretrial motions is necessary. Such an extension  
5 will have no effect on the September 14, 2021 trial setting. The parties hereby agree that, at  
6 Defendant GARNER's request, the due date for pretrial motions should be extended to June 30,  
7 2021, and that the deadline for responding to these motions be extended to July 14, 2021.

8 6. Counsel for the Government does not oppose the Defendant's request for a  
9 continuance of the due date for pretrial motions. Counsel for Defendant GARNER is also in  
10 agreement that, should the Government require additional time to respond to such motions, the  
11 defense will stipulate to such an extension. Moreover, the anticipated meet and confer process  
12 with respect to the contemplated motions may be far more effective in whittling down the  
13 issues between the parties with the requested extension granted.

14 7. Defendant GARNER is free on pretrial release pending trial, and has no  
15 objection to the requested continuance, as it will enhance the thoroughness of his trial  
16 preparation. He is insistent on receiving and reviewing as much helpful and useful evidence as  
17 possible in response to his earlier motions, and to having his pretrial motions as comprehensive  
18 as possible.

19 8. Denial of this request for continuance will result in a miscarriage of justice,  
20 given the necessity of further informed preparation by Defendant GARNER and his counsel.

21 9. The extension of deadlines contemplated by this Stipulation does not impact the  
22 currently scheduled trial date of September 14, 2021. Nonetheless, the additional time  
23 requested by this Stipulation is excludable in computing the time in which the trial herein must  
24 commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section  
25 3161(h)(7)(A), when considering the factors under Title 18, United States Code, Sections  
26 3161(h)(7)(B) and 3161(h)(7)(B)(iv).


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BOIES SCHILLER FLEXNER LLP

By: /s/ Richard J. Pocker  
 RICHARD J. POCKER, ESQ.  
 Counsel for Glen Edward Garner

IT IS FURTHER ORDERED that all additional Pretrial Motions are due on or before June 30, 2021 and Responses thereto are due on July 14, 2021. Replies due on or before July 21, 2021.

  
UNITED STATES DISTRICT JUDGE